

REMARKS/ARGUMENTS

The Applicant acknowledges, with thanks, the office action dated December 14, 2007. The allowability of Claim 36 if rewritten in independent form is noted with appreciation. Claims 1-37 are currently pending.

Claims 1-5, 9-10, 15-19, 25, 27, 28, 30, 34, and 37 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,751,345 to Dozier et al. (*hereinafter*, “Dozier”).

Claims 6-8, 11-14, 20-24, 26, 29, and 32-33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Dozier in view of U.S. Patent Publication No. 2003/0060897 to Matsuyama et al. (*hereinafter*, “Matsuyama”). Claim 28 was rejected as being unpatentable over Dozier in view of U.S. Patent No. 6,188,398 to Collins-Rector et al. (*hereinafter*, “Collins-Rector”). Claim 35 was rejected as being unpatentable over Dozier in view of U.S. Patent Publication No. 2003/0038756 to Blume et al. (*hereinafter*, “Blume”). In view of the amendments and arguments set forth below, it is submitted that all pending claims are patentably distinct over the art of record.

The subject amendment cancels the previously submitted claims. Each new claim includes limitations wherein a user interface is provided to engage a user interactively. A digital camera is disposed behind the user interface and is hidden from the user’s vision. When a user is engaged with device operation via the user interface, they are positioned accurately relative to a field of vision of the camera. Then, when a user engages the interface, the system acquires an image of the user who will then be positioned correctly relative to the field of vision of the camera. This strategic positioning of a camera relative to a user interface, and a triggering engagement with input received via the user interface, allows for acquisition of a good image of a user, such as capturing optimal facial characteristics, while a user is unaware that this is occurring. Dozier uses lobby cameras for image acquisition, which cameras do not enjoy the advantages associated with relative placement and interaction with a user interface to secure a good image of the user during interaction.

The deficiencies in the teachings of Dozier relative to the amended claims are not remedied by any teachings of Matsuyama, which system is directed to gauging commercial messages, not of engaging a user so as to acquire good images of that user. Additionally, the

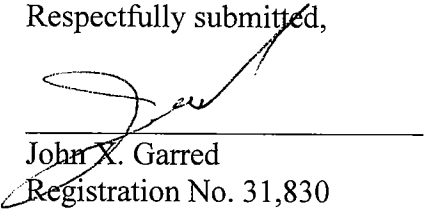
new claims are novel over the teachings of Collins-Rector, which is cited as teaching synchronizing video clips.

In accordance with the afore-noted amendments and comments, it is submitted that all claims are patentably distinct over the art, and in condition for allowance thereover. An early allowance of all claims is respectfully requested.

If there are any fees necessitated by the foregoing communication, the Commissioner is hereby authorized to charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. 66329/00318.

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Respectfully submitted,



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